



REA NEWS UPDATE

MARCH 2000

**California
Environmental
Protection Agency**

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Governor*

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Agency Secretary*

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The Office of
Environmental Health
Hazard Assessment is
the lead agency for the
Registered Environ-
mental
Assessor I and II
Programs, and is
responsible for the
review of qualifications
and experience for the
registration of
environmental
professionals with
specific expertise.

REA II's Authority Expands to School site Assessments

Professionals registered by the Registered Environmental Assessor (REA) program have been placed into an authoritative role in a new program that evaluates environmental hazards at new and existing school sites.

In October, Governor Gray Davis signed into law Senate Bill 162 (Escutia) and Assembly Bill 387 (Wildman) which jointly prohibit the governing board of a school district that receives funding under the Leroy F. Greene School Facilities Act of 1998, from approving the acquisition of a school site or from proceeding with the construction of a school project unless the board conducts certain environmental assessments. The new law now requires that these environmental assessments be conducted by an REA II registered with the Office of Environmental Health Hazard Assessment (OEHHA), or a licensed hazardous substance contractor who possesses a college degree which includes 60 units of specific courses and who has two years of specific environmental assessing experience.

The new law requires school districts to contract with an REA II to conduct a Phase I environmental assessment. The Phase I environmental assessment must be conducted in accordance with a modified American Society of Testing and Materials (ASTM) standard ASTM E-1527-97. The new law expands the standard ASTM Phase I process to include an assessment of whether there is a "significant risk to children or adults due to the presence or threatened release of hazardous materials or naturally occurring hazardous materials." This Phase I environmental assessment is submitted by the school district to the California Department of Education (CDE) and must be reviewed and approved by the Department of Toxic Substances Control (DTSC).

If it is determined by either CDE or DTSC that a Preliminary Endangerment Assessment (PEA) is warranted, the school district must enter into an agreement with an environmental assessor to prepare a PEA, if the school district elects to pursue acquisition of the proposed school site. The PEA must include

sampling and analysis of the site to determine the type and extent of hazardous material contamination present on the site. The PEA must also include a preliminary evaluation of the risks that the environmental contamination may pose to children's health, public health, or the environment and must be prepared according to the guidelines published by DTSC. Once finalized the school district must submit the PEA to DTSC for review and approval, and provide a public review and comment period of not less than 30 days.

This new law represents a major change in the acquisition of school sites and a major enhancement of the status of the REA II registration.

In conjunction with this new law, the REA program has commenced a major outreach effort to the local school districts to acquaint them with the laws provisions and to put them in contact with the REA IIs in their area.

REA Program Announces Proposed Fee Increase

Prior to 1996, the annual registration fee for REA I was \$100 per year. In 1996, this fee was lowered to \$75 per year. Recently, regulations have been drafted to increase the REA I annual registration fee and to begin charging a five-year renewal fee. Unfortunately, despite several money-saving efforts, it was determined that the \$75 annual fee was not adequate to fund the operation of the REA I program. As a result, the following amendments to Title 14, California Code of Regulations, Chapter 3, section 19032 are being proposed:

1. Amend section 19032(b) to increase the annual registration fee for REA I from \$75 to \$100 per year.
2. Amend section 19032(c) to assess a new five-year registration renewal fee of \$50.

These proposed amendments in regulations are necessary because revenues collected by the REA I program are not sufficient to cover the cost of administering the program. Health and Safety Code section 25570.3(e)(1)(A) and (B) authorize the REA I program

(Please see FEES, page 3)

Benefits of REA I Registration

REA I registrants are among the few persons who are legally allowed to review and certify certain environmental documents. These documents include: Source Reduction and Evaluation Plans; Hazardous Waste Management Performance Reports; Airborne Toxic Risk Reduction Audits and Plans; and all updates to these plans, reports and audits.

The names of all REA I registrants and their areas of expertise are maintained in a database that is accessible to businesses and interested parties seeking qualified environmental professionals.

The REA program wants to congratulate the following recently registered REA Is: Nick Amper; William T. Aravanis; Mark J. Arniola; Corey K. Bain; James W. Beery; James J. Bignell; Larry G. Blevins; Philip R. Bowers; Bobby E. Bronson; Peter K. Cloven; Donald C. Cramer; Donna M. DiRocco; Ann M. Eli; Ahmed Elwy; Richard L. Fanelli; Eddie B. Gamboa; Eric W. Garcia; Patrick J. Garland; William H. Godwin; Joseph Hageman; Joseph P. Haley; William M. Hathaway; Belayet H. Howlander; Elizabeth T. Kendall; Ruta Kshiragar; E. Tunstall Lang; Mark J. Larocque; Zoyd R. Luce; Eran A. Mahrer; Amy Eileen McCain; Justin D. Mckindley; Brenda D. Nelson; Terry D. Nephew; Michael T. O'Conner; Christopher M. Olsen; Donald C. Reh; David C. Reilly, Jr.; Rodolfo A. Reyes; Janeen M. Rich; Philip W. Richardson; David C. Riddle; Steven R. Ridenour; Lawrence C. Rosen; William P. Simons; Porter J. Smith; Steven R. Souza; Crystal M. Stech; David A. Steele; Agata A. Sulczynski; Brad Michael Summers; William A. Szary; David A. Thaete; Margaret R. Thomas; James D. Thorn; Andrew R. Van Allen; Roberts B. Veldman; Julie Lynne Welch; Jean-Rene (J.R.) Westfall; Harold L. Wagner; Blythe M. York Mansfield; Chung K. Yu; and Karen Travis Zachary.

Final Printing of the REA Newsletter



This issue will be one of the last newsletters that we are sending out in hard copy form. The technology age allows us to communicate instantly; so we are going to do just that in the future.

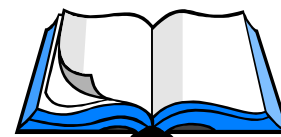
Future newsletters may be sent to your e-mail address, unless you request otherwise. Additionally, we will post the newsletter on our web site at www.calrea.com.

Our goal is to become more environmentally friendly by reducing

the tonnage of paper and ink required to ship hard copies of newsletters.

However, we recognize that there is nothing quite like holding a real piece of paper in your hands and reading what is printed on it. So if your preference is to continue to receive a hard copy, please let us know and we will continue to mail you a copy.

The REA II Professional



An extension of the existing REA I program, an REA II is an environmental professional whose education, experience and qualifications in site mitigation qualify for registration by the State of California. Based upon the investigation, assessment and study of a site, an REA II issues hazardous waste and hazardous substance site cleanup opinions which describe whether contamination is present, the work needed to reduce the risk from that contamination and whether the work has been completed. An REA II is required to sign and include their REA II registration number on any reports or opinions submitted to clients, lead agencies or others.

Current law requires that an REA II be used by school districts to perform environmental assessments of properties proposed for the construction of new schools. In addition, the California Code of Regulations provides for the use of REA IIs to meet requirements for third party technical expertise at specific CUPA sites.

Congratulations to the following registered REA IIs: Scott Warren; Susan Colman; Edward Cieslak; Alan Gibbs; Jack Bryant; Moe Alrawi; Mandale White; Jerome Summerlin; Emanuel Pedram, Ph.D.; Andrew Sheldon; Edward Leonhardt; Jonathan Buck; Timothy Souther; Nick Berzins; David Blakely; Charles Hays; Raymond Friedrichsen; Salar Niku, Ph.D.; Carl Ripaldi; Jay Stern; Susan Mearns, Ph.D.; Eric Floyd; Robert Bealkowski; Dean Dunn; Jay Neuhaus; Maria Zrupko; Donovan Tom; Erik Friedrich; Chet Pearson; Robert Blaine Hansen; John Juhrend; Christopher Lonergan; Hiram Garcia; Timothy Wendler; Bart Miller; Michael Cassidy; Harold Tuchfeld; Ronald Giraudi; Mark Leymaster; Richard Howard; Walter Hamann; Thomas Mills; Richard Fink; Walter Plachta; Robert Job; Christine Hickey Mead.

Email Addresses



Please keep the REA program up-to-date by letting us know of any changes to your e-mail address. We will continue to communicate with you via the Internet and can provide critical information to you faster and by killing less trees.

Fees:

to charge a nonrefundable application fee of up to \$50, and an annual registration fee of up to \$100. Health and Safety Code section 25570.3(f) requires OEHHA to assess these fees at a level sufficient to "meet the costs of application processing, registration, listing and publication, audits, complaints, investigations, disciplinary proceedings, and such other activities that are reasonably necessary to administer and implement the environmental assessor registration program." In addition, OEHHA is instructed by Health and Safety Code section 25570.3(i) to charge a renewal fee that is "sufficient to cover the reasonable costs incurred in re-assessing the qualifications of the applicant for renewal."

Currently, the REA program charges a \$50 application fee, \$75 registration fee and no renewal fee. Revenues from these fees for fiscal year 98/99 were \$307,650.00, while expenditures for the operation of the REA program exceeded the fees collected by more than \$300,000.00. If the cost of operation were allocated to the approximately 4,000 REA registrants, the annual fee would be in excess of \$150. However, Health and Safety Code section 25570.3(e)(1)(B) caps the registration fee at \$100 per year. To continue the review and assessment of REA registrants and provide a valuable, qualified resource of environmental consultants to the public, the annual registration fee must be returned to \$100 per year. In addition, a \$50 fee for renewal will be charged, to recoup the cost of reassessing the qualifications of an applicant for renewal.

Up to this point, OEHHA has not required a registration renewal fee, but has absorbed the cost of registration renewal through the application and annual registration fees. Because many of the registrants are now reaching the five- and ten-year renewal points, the cost of this registration renewal review has risen to a point at which a \$50 fee for the review of registration renewal applications must be assessed. These amendments will create a \$50 fee for REA registration renewal.

Some of the cost-saving innovations initiated during the last year, included the use of retired annuitants and student staff during periods of high activity such as the annual billing and REA database data entry. The use of part-time, temporary staff reduces the overall cost of these activities by enabling the REA program to use seasonal staff rather than the more expensive permanent, full-time employees. In addition, the REA initial and renewal applications are available on-line, at the REA Web site. Applicants are directed to the Web site to download the appropriate applications, saving the REA program the cost of duplicating and mailing these documents. All REA documents such as brochures, regulations, statutes, newsletters, and proposed regulations have also been placed on the Web site for downloading. The REA program also utilizes e-mail whenever possible to communicate with applicants and registrants, resulting in savings of staff resources, duplication, paper and postage costs. However, these efforts were inadequate to reduce the REA program budget shortfall.

If you wish to address these proposed regulations, you may provide written comments during the 45-day public comment period

that begins on February 11, 2000 and ends at 5:00 p.m. on March 27, 2000. Please address your comments to the Office of Environmental Health Hazard Assessment, Registered Environmental Assessor I Program, 301 Capitol Mall, Room 205, Sacramento, California 95814.

You are also invited to attend the public hearing at 10:00 a.m. on March 27, 2000, in the auditorium at 714 P Street, Room 102, Sacramento, California. At that time any person may present statements or arguments orally or in writing, relevant to the proposed regulations. A copy of the Initial Statement of Reasons and the proposed regulations can be found on the OEHHA web site at www.calrea.com.

Ecological Risk Assessment New Database Available



The *Cal/ECOTOX* database was designed to improve the quality of information used in ecological risk assessments. This unique database contains exposure factor and toxicity information for 62 mammals, birds, reptiles and amphibians native to California. *Cal/ECOTOX* offers this information, which was obtained from the scientific literature, in a quick and easily searchable format. To use this new database, log onto www.oehha.org/ecotox/documents/caleco1.html. Should you have questions, contact Dr. Regina Donahoe or Dr. Julie Yamamoto of the Office of Environmental Health Hazard Assessment at (916) 327-1099.

Proposition 65 – New Chemicals Listed

On October 7, the Carcinogen Identification Committee (CIC) listed three new carcinogens onto the Proposition 65 list. They are Bis(2-Chloro-1-methylethyl) Ether, 1-Chloro-4-Nitrobenzene, and Estragole.

At the same meeting, the CIC delisted, or removed, four compounds from the list of carcinogens. The four delisted chemicals are: Allyl Chloride, Chlordibromomethane, p-Toulidine, and Zineb. This is the first time that the CIC has removed chemicals from the list. For more information, log onto www.oehha.ca.gov or call (916) 445-6900.

New Underground Storage Tank (UST) Requirements

Effective January 1, 2000, there are new UST requirements. Specifically, all tank systems installed on or after this date must have under-dispenser containment. By November 2000, all operators of single-walled USTs must have an enhanced leak detection system if the UST is within 1,000 feet of a drinking water well. To learn more, visit www.swrcb.ca.gov/~cwphome/ust/usthmpg.htm, then access SB 989.

NEW LEGISLATION



The new California Legislation Session is underway. REA Program staff are watching new bills for applicability to the role or work of REAs. Through e-mail and the newsletter, we will keep you up to date on legislation which may affect your registration or work.

If you would also like to track environmental legislation, you may utilize the legislative website: www.leginfo.ca.gov, where you can search new bills and amendments by key words.

The New REA Logo

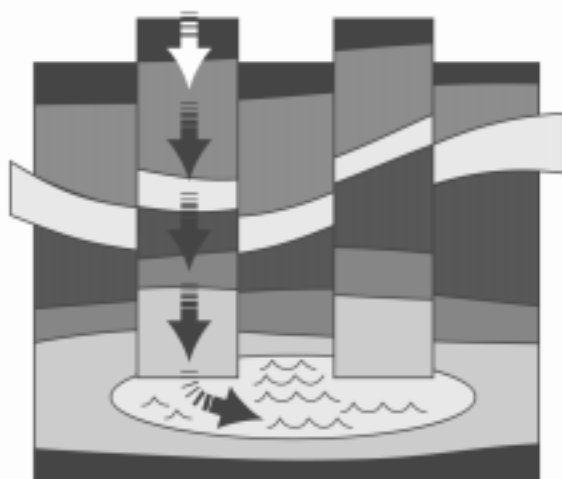
The new REA logo was designed by REA staff member, Pete Marcellana. Please let us know what you think!



Office of Environmental Health Hazard Assessment
Registered Environmental Assessor Program
301 Capitol Mall, Room 205
Sacramento, CA 95814-4308



PROGRAM NOW AVAILABLE



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May 22-25, 2000

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Program Highlights

- Featured keynote speaker - William Glaze, Director of the Carolina Environmental Program
- Several dozen exhibits describing remediation capabilities and/or equipment
- 600 platform and poster presentations
- 5 concurrent sessions and 55 sessions. Sample session topics:

- | | | |
|---|---|---|
| • Regulatory Perspectives | • Remediation of Perchlorates | • Phytoremediation |
| • Advances in Site Characterization | • Natural Attenuation Case Studies | • Remediation of Pesticides & Herbicides |
| • Field-Scale Treatment of Explosives-Contaminated Soil | • Field Applications of Permeable Barrier Systems | • Environmental Data Management, Geostatistics, and GIS |
| • MTBE Remediation Case Studies | • Remediation of PCBs & Dioxins | • DNAPL Remediation Technologies |
| • Advances in Analytical and Detection Techniques | • SVE/Multiphase Extraction/Bioslurping | • Field Applications of In Situ Permanganate Oxidation |
| • Long-Term Monitoring and Optimization | • Innovative Monitoring and Control Systems | • Monitored Natural Attenuation Roundtable |

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